

REMARKS

Favorable reconsideration is respectfully requested.

Claim 1 has been cancelled, and the remaining claims amended to depend from Claim 10. Claim 10 recites an in-mold-forming label. Claim 10 has been amended to further recite that the in-mold-forming label has heat sealing properties and that the stretched film of void-containing thermoplastic resin is sized and shaped to be an in-mold-forming label. It thus recites structural features beyond an intended use as a label. Basis for the heat sealing properties of the in-mold-forming label is found in paragraph [00109] on pages 25-26. In particular, the stretched film must have heat sealing properties to be used as an in-mold-forming label, in view of the heat in the mold.

As is described in paragraphs [0005]-[0006] of the present specification, a stretched film, if subject to electrostatic discharge during processing, will retain a residual charge due to the voids in the film. This disadvantageously resulted in a significant attractive force between the sheets, which makes it difficult to handle the sheets when the sheets comprise a label during feeding and removal from offset presses. According to a feature set forth in the claims, the stretched film of a void containing thermoplastic resin has a surface charge potential, after discharging of the film, of -10 to 10 kV. This surface charge is achieved by applying a DC current voltage overlaid on a high voltage and high frequency voltage during discharging of the film, and maintains an attractive force between the sheets of the film of 50 grams or less.

Concerning the rejection under 35 U.S.C. § 112, it is respectfully submitted that the claims unambiguously recite ranges for the attractive force and surface charge potential that include zero attractive force and surface charge potential, which are desirable for smooth

feeding. As was explained in the last response, this is neither taught nor inherent in the prior art.

Claims 3-8, 10 and 11 were newly rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent 6,569,527 (Calhoun et al). Calhoun et al discloses films for use in consumer products such as garbage bags, backing materials or outer covers on diapers, bandages, training pants, sanitary napkins, surgical drapes, and surgical gowns. The compositions from which these films are made may include a thermoplastic polymer and an inorganic particulate filler. A bonding or tackifying agent may also be present. These components are mixed and compounded together to form a compound or concentrate which is formed into a film layer by casting, blowing or extrusion coating (col. 1, lines 22-42). Significantly, however, there is no evidence that the film disclosed in this reference has heat sealing properties, or that a stretched film of void-containing thermoplastic resin is sized and shaped to be an in-mold-forming label. Thus the amended claims are believed to define over this reference.

Claims 3-8, 10 and 11 were newly rejected under 35 U.S.C. § 102 or 35 U.S.C. § 103 as being anticipated by, or obvious over, U.S. patent 5,932,341 (Endo). Endo is directed to a biaxially oriented multilayered film. However, here again, there is no evidence that the film has heat sealing properties, or that a stretched film of void-containing thermoplastic resin is sized and shaped to be an in-mold-forming label. Thus the amended claims are also believed to define over this reference.

Claims 4, 5, 8, 10 and 11 were also newly rejected under 35 U.S.C. § 102 or 35 U.S.C. § 103 as being anticipated by, or obvious over, U.S. patent 6,468,635 (Cowell Stenft). Similarly, Claims 3-8, 10 and 11 were newly rejected under 35 U.S.C. § 102 or 35 U.S.C. § 103 as being anticipated by, or obvious over, U.S. patent 6,489,033 (Hatke et al). However, each of these references is directed to an electret, i.e., a sheet having a charge sufficient to stick the sheet to a surface (see Cowell Stenft at col. 1, lines 58-67). Such electrets could not

comprise an in-mold-forming label which must have a small charge to be smoothly fed.

Also, as with the other references described above, there is no evidence that the film has heat sealing properties, or that a stretched film of void-containing thermoplastic resin is sized and shaped to be an in-mold-forming label, and so the amended claims are believed to define over these references.

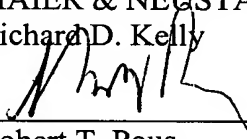
As for the rejections of the dependent claims in paragraphs 7 and 10, it is noted that the further references cited against the dependent claims cannot overcome the shortcomings of the references as noted above, and so the claims define over any of the cited prior art.

Applicants believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

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